

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**BECKY IRONS and
DORIS JEAN MIDDLETON**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:04CV310LS

**GLAXO WELLCOME, INC., d/b/a
Glaxosmithkline, d/b/a Glaxo Wellcome,
Inc., f/k/a Smithkline Beecham Corporation;
GLAXO WELLCOME PLC and
GLAXOSMITHKLINE, PLC**

DEFENDANTS

ORDER

This matter came before the court on a review of the docket to determine the status of a pending Motion to Compel filed by the Defendants. In so doing, the court noted that the Plaintiffs filed a Motion to Remand on March 3, 2006, shortly after the Motion to Compel was filed. Unif. Local R. 16.1(B)(2)(b) provides that the filing of a remand motion stays discovery requirements; however, the Rule also states, "At the time the remand motion or referral motion is filed, the movant shall submit to the magistrate judge an order granting the stay but permitting discovery concerning only the remand or referral issue." It does not appear that such an Order was submitted in this case; however, due to the pendency of the Motion to Remand, the case should be stayed.

IT IS, THEREFORE, ORDERED:

1. All discovery in the above referenced case is stayed, except that discovery at issue in the pending Motion to Remand.
2. The disposition of the Motion to Compel is stayed until the Motion to Remand has been decided.

3. If the Motion to Remand is denied, counsel for the parties are hereby instructed to immediately contact the Magistrate Judge's office.

IT IS SO ORDERED, this the 24th day of March, 2006.

S/James C. Sumner
UNITED STATES MAGISTRATE JUDGE